

CONGRESS...First Session.

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Washburne) took pleasure in repeating a worn-out joke, and he doubted whether that gentleman had any sense at all in connection with the African question.

Mr. WASHBURN said he would like to see the gentleman from Ohio.

Mr. COX said he would not submit to any further friendly interruptions, and then referred to the resolutions introduced into the last Congress by Representative Conway of Kansas in favor of recognizing the Southern Confederacy. Where then was the sensitive gentleman from Indiana (Mr. Colfax) that he could not concur with a resolution of expulsion? He referred to the Speaker (Mr. Cox) as being a free speech. Why, then, does he pursue my colleague (Mr. Long) for uttering his sentiments, while he (the Speaker) refrains from doing a man in his (Mr. Colfax's) own name for doing the same thing? I yield to the Speaker to answer the question.

Mr. COX replied. The Representative from Indiana claims the floor when he chooses, and declines speaking within the gentleman's (Mr. Cox's) time of speech.

Mr. COX.—The gentleman is distinguished for presence as well as for sagacity.

Some one here asked Mr. Cox whether he thought Mr. Conway of Kansas should have been expelled for offering the resolutions that he (Mr. Conway) did.

Mr. COX responded that he did not think that Mr. Conway should be expelled any more than Mr. Stevens of Pennsylvania should be, in the spirit of the resolutions of the Confederacy as a *de facto* Government—an independent nation. His colleague (Mr. Garfield) had taken the same ground as the gentleman from Pennsylvania (Mr. Stevens), and how he (Mr. Garfield) was in favor of expelling a member of the House containing the same views as himself.

Mr. GARFIELD (Ohio) said that he took the most decided ground against the gentlemen from Pennsylvania (Mr. Stevens), that the South are now a foreign people. In his speech (Mr. Garfield) he uttered the words, "If we must go down this rebellion we must be governed by the laws of war as if they were a foreign nation, but not thereby admitting them to be a foreign nation."

Mr. COX—Do you hold the doctrine that the Southern Confederacy is independent now, and if not, are you in favor of expelling the gentleman from Pennsylvania (Mr. Stevens) for holding such a doctrine? I do not believe either in the doctrine of Mr. Stevens or of Mr. Long.

Mr. GARFIELD—I draw the most marked and broad distinction between the opinions of the distinguished gentleman from Pennsylvania (Mr. Stevens), and those of the gentleman from Ohio (Mr. Long). The former favored the protection of the South to the utmost, in the revolted States; the latter is opposed to all further prosecution of the war, and regards all compromise as impossible. He (Mr. Long) declared openly for throwing up the white flag, acknowledging the independence of the Confederacy, and that he would make no attempt either by conference or war, to restore the Union.

Mr. THAYER (Pa.) suggested that his colleague (Mr. Stevens) was not in his seat, being detained by sickness.

Mr. COX replied that the remarks of the gentleman from Pennsylvania (Mr. Stevens) were printed, and were as well known as if Mr. Stevens were present.

Mr. COX then referred to Mr. Wm. H. Seward, Benjamin Stanton, formerly a member of the House, who said, at the close of the Civil War, that if the Rebels had remained themselves for a year or two, and nothing but war of subjugation could bring them back to the Union, he would be disposed to recognize their independence. Did his colleague (Mr. Garfield) vote for Mr. Stanton as Lieutenant-Governor of Ohio?

Mr. GARFIELD replied that he did not vote for that gentleman for any ticket. If he had been in Ohio at the time he should have voted for Mr. Seward.

Mr. COX—In the state where the election took place, there were many men on both sides of the political question. In the beginning of the war who felt it to be their duty to let the Southern people alone for a time, hoping that reason might return to them by delay. Others said we cannot let them alone, and to this class belonged the patriots on both sides. But now when the question had been adjudicated, and now, when the war is determined, all voices have gone by, and when we are emerging from the night into the daylight of victory, to throw up the contest would be treason.

Mr. COX replied that he had only asked an answer to his question, and not an explanation as to what constituted treason. While the gentleman (Mr. Garfield) would overrule the Constitution of his country, he (Mr. COX) would take it for his guide, for those who are in the Union without a will to overthrow and break down the Constitution, you are the traitor, if there is a traitor in this House.

Mr. GARFIELD said his colleague (Mr. COX) was misrepresenting him as to "overruling the Constitution."

He (Mr. Garfield) would say that when he stated this, when he asked whether, under any circumstances, he would override the Constitution, he said this, and that only—that he trusted the Constitution was ample to put down the rebellion, and its powers were sufficiently capacious for that purpose, and therefore there was no need to override the Constitution, but if the time ever came when the Constitution was not found sufficient, and he looked upon it as incapable of the assumption, he could not, in good conscience, say as the American people are greater than the Constitution, and the nation mightier than that instrument, we have a sacred right to save the creators of the Constitution.

Mr. COX said that he had been informed by gentlemen around him that his colleague did not state the question yesterday as he stated it today. The gentleman (Mr. Garfield) said, "I do." The gentleman (Mr. COX) would resort to "any element of destruction, and fling the Constitution to the winds" rather than lose his country. There was nothing he could say about any imminence in the future. Mr. COX then quoted from Senator Wade to show that the gentleman favored a separation of the States.

Mr. GARFIELD read the opinion of Thomas Jefferson that the "law of necessity" might be resorted to for the purpose of saving the country when all other means had failed.

Mr. COX said that placed the gentleman (Mr. Garfield) in the campaign with Mr. Long. Mr. COX then said that if the Cotton States chose to form an independent nation they had the right to do so. Mr. COX (the speaker) would ask the gentleman (Mr. Garfield) whether he agreed with Horace Greeley.

Mr. COX said that he had not the pleasure of hearing the extract read.

Mr. COX—My colleague is obtuse when anything is said on this side of the House, but is willing to listen to anything that may be said when it is not on our side.

The declaration of Horace Greeley is to the following:

"We have . . . only said, and once more announce, that the great principles embodied by Jefferson in the Declaration of Independence derive their just powers from the consent of the people are sound and just, and if the Cotton or Gulf States choose to form an independent nation they have the right to do so."

Mr. COX said that he would answer after his colleague had finished his speech.

Mr. COX—You all swear by THE TRIBUNE, but are so sanitary when the Democrats look in the decoration of your garments that just powers from the consent of the people are sound and just, and if the Cotton or Gulf States choose to form an independent nation they have the right to do so.

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